

SENATE RECORD VOTE ANALYSIS

105th Congress
1st Session

Vote No. 51

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Page S-3651 Temp. Record

CHEMICAL WEAPONS CONVENTION/Ratification

SUBJECT: Resolution of ratification for the Convention on the Prohibition of Development, Production, Stockpiling, and Use of Chemical Weapons and on their Destruction (Treaty Doc. 103-21) . . . S. Res. 75. Agreeing to the resolution, as amended.

ACTION: RESOLUTION OF RATIFICATION AGREED TO, 74-26

SYNOPSIS: As amended and passed, S. Res. 75, a resolution of ratification for the Convention on the Prohibition of Development, Production, Stockpiling, and Use of Chemical Weapons and on their Destruction, will give the Senate's advice and consent to the Chemical Weapons Convention (CWC). Details are provided below.

Requirements:

- "States Parties" (countries that have signed and ratified the CWC) will be barred from the following activities: developing, producing, acquiring, stockpiling, retaining, or transferring chemical weapons; using chemical weapons under any circumstances, including in retaliation; preparing to use chemical weapons or assisting, encouraging, or inducing anyone to engage in any activity prohibited by the CWC; and using riot control agents as a "method of warfare".

- States Parties will declare whether or not they possess chemical weapons (including old and/or abandoned weapons), chemical weapons production facilities, or other facilities used primarily for chemical weapons. (Chemical weapons will be defined to include toxic chemicals that are not used for purposes permitted by the CWC, munitions and devices designed to release toxic chemicals, and any equipment specifically designed for use in connection with such munitions and devices. Permitted uses for toxic chemicals will include peaceful uses (such as in agriculture or medicine), military uses unrelated to the toxic properties of the chemicals, law enforcement uses (including domestic riot control), and uses directly related to protecting against toxic chemicals and chemical weapons.) They will also declare any chemical weapons on their territory that are owned or possessed by another country, and any shipments of chemical weapons or chemical weapons equipment made since January 1, 1946.

- States Parties will destroy their chemical weapons and chemical weapons facilities within 10 years of the entry into force of

(See other side)

YEAS (74)				NAYS (26)		NOT VOTING (0)	
Republican (29 or 53%)		Democrats (45 or 100%)		Republicans (26 or 47%)	Democrats (0 or 0%)	Republicans (0)	Democrats (0)
Abraham	Lott	Akaka	Johnson	Allard			
Chafee	Lugar	Baucus	Kennedy	Ashcroft			
Coats	McCain	Biden	Kerrey	Bennett			
Cochran	McConnell	Bingaman	Kerry	Bond			
Collins	Murkowski	Boxer	Kohl	Brownback			
D'Amato	Roberts	Breaux	Landrieu	Burns			
DeWine	Roth	Bryan	Lautenberg	Campbell			
Domenici	Santorum	Bumpers	Leahy	Coverdell			
Enzi	Smith, Gordon	Byrd	Levin	Craig			
Frist	Snowe	Cleland	Lieberman	Faircloth			
Gorton	Specter	Conrad	Mikulski	Gramm			
Gregg	Stevens	Daschle	Moseley-Braun	Grams			
Hagel	Thomas	Dodd	Moynihan	Grassley			
Hatch	Warner	Dorgan	Murray	Helms			
Jeffords		Durbin	Reed	Hutchinson			
		Feingold	Reid	Hutchison			
		Feinstein	Robb	Inhofe			
		Ford	Rockefeller	Kempthorne			
		Glenn	Sarbanes	Kyl			
		Graham	Torricelli	Mack			
		Harkin	Wellstone	Nickles			
		Hollings	Wyden	Sessions			
		Inouye		Shelby			
				Smith, Bob			
				Thompson			
				Thurmond			

EXPLANATION OF ABSENCE:

1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:

AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

the Convention. A State Party will be permitted to request that it be given up to 5 additional years to comply. A State Party will not be required to destroy toxic chemicals or their precursors that are used for peaceful purposes or other purposes not prohibited by the CWC. A State Party will be allowed to convert a chemical weapons facility to a facility that has chemical production purposes that are not prohibited by the CWC. Varying restrictions will be imposed depending on the toxicity of the particular chemicals. Restrictions will fall under three classifications. The most restricted chemicals will only be produced in facilities that cannot produce large quantities of them.

- A State Party will not transfer a Schedule 1 chemical (the most restricted classification) to a non-State Party. A State Party will not transfer a Schedule 2 chemical to, or receive a Schedule 2 chemical from, a Non-State Party starting 3 years after the CWC enters into force. Five years after this CWC enters into force, the Conference of States Parties (see below) will decide whether to place restrictions on the transfer of Schedule 3 chemicals to non-State parties. (If the United States does not ratify the CWC, the Chemical Manufacturers Association's (CMA's) most recent "upper-bound" estimate is that 1/3 of 1 percent of U.S. chemical exports will be jeopardized by these restrictions; the CMA supports ratification).

- The Organization for the Prohibition of Chemical Weapons (OPWC) will be created. Its expenses will be paid by States Parties using the United Nation's funding formula (the United States, if it becomes a State Party, will have to pay 25 percent of all costs). The Organization will have three parts: the Conference of State Parties, the Executive Council, and the Technical Secretariat. The Technical Secretariat will oversee inspections; the Executive Council will make operating decisions; the Conference of States Parties will consider broader changes to the Convention. The Executive Council will have 41 Members selected by geographical quotas. No country will be guaranteed a seat on the Council; no country will have a veto of council decisions. All substantive decisions by both the Conference and the Council will be made by two-thirds majority votes. Each State Party will have one vote in the Conference.

- Routine and challenge inspections will be made. Routine inspections will be at sites that most likely could be used in chemical weapons programs. No country will be subject to more than 20 routine inspections per year; no site will be subject to more than 2 routine inspections. Challenge inspections will allow any site challenged to be inspected. Reasons will have to be given for a challenge. Inspectors from a State Party that calls for a challenge inspection will not be part of the inspection team. The State Party being inspected will pick three inspectors from a list it will be provided. Only 12 hours notice of the exact site to be inspected will have to be given. The Executive Council, by a two-thirds majority vote, will be able to block a challenge inspection. The site being inspected will pay for the costs of being inspected. Detailed requirements for inspections, including on access to site employees, the right to review records, the right to read instruments, and the right to take samples, are detailed in the CWC. No limits will be placed on the number of challenge inspections. A State Party that requests a challenge inspection that is later determined to have been frivolous may be required to pay for the costs of the inspection. Inspectors will have diplomatic immunity.

- The Executive Council will review reports from inspections, and will take "the appropriate measures" to redress any violations that are revealed. "Appropriate measures" will include making specific recommendations to the Conference. The Conference will be permitted to suspend rights under the CWC for a State Party in violation of the CWC. For severe violations, both the Conference and the Council will be permitted to refer matters to the United Nations General Assembly and the United Nations Security Council.

- Each State Party will be required to undertake "to facilitate, and shall have the right to participate in, the fullest possible exchange of equipment, material, and scientific and technological information concerning means of protection against chemical weapons." Each State Party will be required to undertake "to facilitate, and have the right to participate in, the fullest possible exchange of chemicals, equipment and scientific and technical information relating to the development and application of chemistry for purposes not prohibited under this Convention." States Parties will "Not maintain among themselves any restrictions, including those in any international agreements, incompatible with the obligations undertaken under this Convention, which would restrict or impede trade and the development and promotion of scientific and technological knowledge in the field of chemistry for industrial, agricultural, research, medical, pharmaceutical, or other peaceful purposes."

- Twenty-eight conditions have been added to the resolution of ratification, including the following conditions: the U.S. will withhold half of its annual contribution to the OPWC if an OPWC employee willfully discloses confidential proprietary information obtained in an inspection and the OPWC then does not waive that employee's diplomatic immunity; all samples collected in the United States during inspections will be analyzed in the United States; if an independent inspector general of the OPWC is not appointed within the first 9 months of its operations, the United States will withhold half of its regular contribution; no warrantless searches will be allowed in the United States when access to a site is denied by the authorities for that site; the United States will not read the restrictions on riot control agents as preventing its using them to rescue downed pilots or to fend off combatants who use noncombatants as human shields; in fulfillment of the CWC's requirement to assist States Parties in chemical weapons defenses, the United States will not provide anything more than medical antidotes and treatment to a nation it believes poses a chemical weapons proliferation threat; the President will be required to certify annually that present Australia Group controls on chemical weapons proliferation have not been weakened, or, if they have been weakened, to consult with the Senate on possible withdrawal from the CWC; and the Senate asserts that it retains the constitutional right to amend and add reservations to treaties, despite the statement in the CWC that no nation may attach reservations to it.

APRIL 24, 1997

VOTE NO. 51

Those favoring final passage contended:

Eighty-two years ago, on April 22, a green cloud boiled up out of the east near the town of Ypres in Flanders. The modern use of chemical weapons had begun. On that day, the use of chlorine gas achieved a significant tactical advantage for German attackers in a World War I battle. Within days, however, gas masks were made available to the allies and, thereafter, the use of poison gas as a method of warfare was not especially effective. As a method of terror, though, poison gas continued to be exceedingly effective and had an appalling effect on its victims along the front lines. The international revulsion against the use of poison gas in World War I led the United States to press for an international agreement banning the practice. The result, in 1925, was the Geneva Protocol, which prohibits the use in war of poison gas and bacteriological weapons. For most of the past 82 years the international norm set by the Geneva Protocol has been honored.

A large exception to this norm occurred in the Iran-Iraq War in the 1980s. During the course of that war both sides used large amounts of poison gas against each other in a war of attrition that ended in a stalemate. Again, chemical weapons did not prove effective militarily; again, their main result was to inflict cruel, horrible deaths, and lifetime crippling illnesses, on their victims. They are a terrorist weapon even in warfare; most soldiers are able to take countermeasures before they fall victim to a poison gas attack. After the war Iraq then turned its chemical weapons against its own Kurdish minority. Peter Galbraith, who is now the United States Ambassador to Croatia, interviewed some of the survivors for a report for the Foreign Relations Committee. He described the atrocities in vivid detail in that report: "The bombs did not produce a large explosion, only a weak sound that could be heard, and then a yellowish cloud spread from the center of the explosion. Those who were very close to the bombs died almost instantly. Those who did not die instantly found it difficult to breathe and began to vomit. The gas stung the eyes, skin, and lungs of the villagers exposed to it. Many suffered temporary blindness. After the bombs exploded, many villagers ran and submerged themselves in nearby streams to escape the spreading gas. Many of those that made it to the streams survived. Those who could not run from the growing smell--mostly the very old and the very young--died. The survivors who saw the dead reported that blood could be seen trickling out of the mouths of some of the bodies, a yellowish fluid could also be seen oozing out of the noses and mouths of some of the dead. Some said the bodies appeared frozen. Many of the dead bodies turned blackish blue."

The use of chemical weapons by these countries, as well as the reported recent use of chemical weapons in other areas such as Indochina, led the United States under President Reagan to push for a total ban on chemical weapons. Under the Geneva Protocol, there was nothing illegal about developing and stockpiling chemical weapons, nor was there anything illegal about using them against civilians. The CWC was started under President Reagan and its final terms were concluded under President Bush. President Bush gave a strong push to the negotiations in 1991 by announcing that the United States would unilaterally destroy its unitary chemical weapons stockpile, and that it would not retaliate against a chemical weapons attack with a chemical weapons attack. President Clinton also supports the CWC, but he did not have any input in negotiating a single word of it. Some people automatically suspect that any treaty that has been negotiated by a Democrat is bound to be flawed because Democrats are assumed to be naively idealistic when dealing with other countries; those people should be reassured by this treaty's Republican pedigree. Under the terms of the treaty, it will take effect 180 days after the 65th country has ratified it. The 65th country ratified it nearly 180 days ago; in a couple of weeks, with or without the United States, it will go into effect.

The United States has much to gain by being a party to the CWC, and much to lose by failing to ratify it. The first, and largest, benefit is that it will establish the international norm that no country should possess chemical weapons. Many opponents of the CWC underestimate the value of establishing this norm. They are generally of the opinion that international agreements are unenforceable and always violated. To an extent, they are correct--if a sovereign nation breaks a commitment, other nations are limited in their ability to respond. They may impose sanctions, or they may ultimately go to war, but clearly any international agreement is less enforceable than a country's internal laws. Because international law is less enforceable, it is more often broken. Usually, it is stretched or broken surreptitiously, in an attempt to get benefits from breaking it and at the same time keep the benefits from having it. For instance, the former Soviet Union built the Krasnoyarsk radar station in violation of the ABM treaty, but at the same time insisted that it was treaty compliant (Russian officials now admit that it clearly violated the treaty). Our colleagues look at such violations and see the utter futility of treaties. We, on the other hand, look at how countries behave without treaties, and how they behave when they are in place, and we see enormous benefits. Treaties have undeniably been violated, but they also undeniably have had successes. Weapons have been destroyed, truces have held, trade has increased, and numerous other benefits have accrued. Those same treaties that have had these benefits have been violated numerous times. We think the course of world events would have been much uglier this century if certain international agreements had not been reached. It has been much better to have agreements like the Geneva Protocol in place and generally adhered to (even without inspections or specific punishments) than it would have been to live in a world where using poison gas in warfare was totally legal and an accepted practice. We believe that without the protocol, which was and is much less enforceable than the CWC, poison gas would probably have been used as a matter of standard practice in wars for the past 80 years. The Geneva Protocol relied mostly on moral authority, and for nearly 80 years that was enough. Simply making it illegal to develop or possess chemical weapons will be more than half the battle.

It will be more than half the battle with one caveat--the United States must join. The United States ratification of the CWC will

mark a critical juncture in post-Cold War history. The United States is the most powerful, influential country on earth, and other countries are closely watching its decision. Ratifying it will signal that it intends to work with other countries. Failing to ratify it will signal that it intends to act unilaterally. Other countries will follow its lead. The world is no longer divided into two armed camps--it is fractured. The United States can use its power and influence to pull other countries into cooperation, but if it is not willing to do so no other country has that power. The world will be more uncertain, so countries will be more likely to develop, stockpile, and use chemical weapons. They are cheap and easy to make, and without a strong international condemnation of them, they will be made.

The third reason the United States should ratify the CWC is a practical one. In a few days, the CWC will go into effect. If the United States has not ratified it by then, it will not have any role in setting up its original structures and methods of operation. The CWC sets only the parameters--the nuts and bolts have yet to be developed. If the United States wants to have any influence on the process it needs to act now.

The fourth reason for immediate ratification is to protect U.S. industry. If the United States does not ratify the convention, it will be subject to trade sanctions from CWC members. Our chemical industry will lose part of its business. Eventually, it could lose as much as \$600 million annually in overseas chemical trade. This amount, though only a small part of the total annual chemical trade, is significant.

In arguing against the CWC, our colleagues have focused on a few specific arguments. First, they have said that the verification provisions are inadequate to detect cheating. Second, they have made the argument that the verification provisions are so intrusive they are going to result in the United States losing all types of national security and commercial secrets to foreign espionage agents posing as chemical weapons inspectors. Basically, with these two arguments our colleagues are admitting that nothing will satisfy them; they are saying that the verification provisions are too tough for the United States to follow and too weak to impose on others. However, they know full well that the United States cannot negotiate a treaty that imposes more intrusive inspection requirements on other countries than are imposed on the United States. The inspections must be the same. That point aside, we believe that strong provisions have been developed, and they were developed in large part by the American chemical industry. American chemical manufacturers both know what to look for when trying to find chemical weapons, and how to stop inspectors from looking for, and finding, industrial secrets unrelated to chemical weapons. As for the charge that only large chemical companies support the convention, we note that the National Federation of Independent Businesses has given its endorsement to the CWC.

Another argument our colleagues have made is that the convention will require the United States to give chemical data and technology to dangerous regimes. We realize that countries like China and Iran have made this very interpretation, but the United States and most of its allies have already explicitly rejected it. Our colleagues should give more credence to the leaders of the United States and its allies than to the leaders of countries like China and Iran.

They should also give more credence to the resolution of ratification, which contains 28 conditions that were included to meet their concerns. Frankly, our colleagues opposition to the CWC has resulted in improvements. Nine of those conditions relate to the Constitution, including a requirement to obtain a criminal search warrant for nonvoluntary inspections in the United States. We do not believe that this condition will violate the CWC because the CWC inspection process will not result in inspections being ordered without just cause, and because it will be possible to obtain warrants without delaying inspections. Another important constitutional condition notes that the United States Senate retains the right to amend any treaty brought before it; no President may barter away that right. In effect, that condition repudiates Article XXII of the CWC. Other conditions relate to the appropriations process, others require reports, others require various presidential certifications, and others make statements of U.S. interpretation.

The CWC will not turn men into angels. Though it will not change their nature, it will change their actions. We believe that history has shown that establishing international norms has affected the behavior of nations. Some of our colleagues may have different interpretations of history--they may believe, for example, that the Geneva Protocol had nothing to do with countries not using chemical weapons for so many years. The point cannot be proven, it is a matter of opinion. In our opinion, ratifying the CWC will lead to an eventual total and lasting worldwide ban on chemical weapons. We are honored to have the opportunity to vote in favor of ratification.

While favoring ratification, some Senators expressed the following reservations:

This vote is very difficult for us to cast. The arguments on both sides are compelling. We find the text of the CWC in many cases to be ambiguous. At first, this fact made us fearful of how it would work in practice, but most of those fears have been allayed by the conditions that have been attached to the resolution of ratification. With the acceptance of those conditions, we now believe that the CWC is supportable.

Those opposing final passage contended:

The CWC has been trumpeted as a worldwide, verifiable, and enforceable ban on chemical weapons. Unfortunately, it is none of the above. Nine of the 14 countries with chemical weapons have not signed it; none of them has ratified it. It is a treaty among

APRIL 24, 1997

VOTE NO. 51

countries that do not have chemical weapons. Even if any of those countries signed on, it would not be possible to determine if they complied. According to a recently unclassified intelligence estimate from 1993, the "capability of the intelligence community to monitor compliance with the CWC is severely limited." Finally, even if the countries that have and are likely to use chemical weapons ratify the convention, and even if it is possible to catch them if they cheat, the treaty is unenforceable--there are no sanctions. Ultimately, if a country keeps getting caught and keeps ignoring requests for it to honor the CWC, it will be possible to go to the General Assembly and then the Security Council of the United Nations. All Senators know what a waste of time it would be to take that step--the United Nations recently could not even bring itself to pass a meaningless resolution telling Iraq that it really should not have used poison gas against its own Kurdish citizens. Some Senators have repeatedly suggested that even though the workability of the CWC is questionable, at least it is better than the current situation, which is that it is totally legal for any country to make any chemical weapons that it desires. Their suggestion is wrong, because the CWC will make it easier for any country that joins to make chemical weapons, plus it will expose U.S. companies to intrusive, costly inspections. Given that the treaty is unverifiable and unenforceable, we imagine that at least a few renegade countries will join the CWC to get the materials and knowledge they need to improve their chemical weapons. This convention is so deeply flawed and so damaging that it is much better to defeat it, and then be accused of being in favor of chemical weapons, than it is to pass it and thereby make the world a much more dangerous place.

The convention is not global. Countries that have refused to sign include Libya, Iraq, Syria, North Korea, and Serbia. Do our colleagues recall any of these countries being mentioned in the news in recent years? Have they been having peace rallies, or have they been sponsoring terrorists, attacking their neighbors, and generally spreading mayhem? These are the countries that have chemical weapons, these are the countries that have used chemical weapons, and these are the countries that have long been considered international pariahs. What will happen to them if they do not ratify the CWC? CWC members will be required to restrict their trade in a very few chemicals with them. We are not talking about a large amount of trade--for instance, if the United States refuses to ratify the CWC, and CWC member countries then impose the required restrictions on it, only 1/3 of 1 percent of the United States' chemical trade will be affected. Additionally, we believe nonmembers will easily evade the restrictions if they want to build chemical weapons, because they will be able to get whatever they need from those dangerous and irresponsible regimes that decide to join the CWC.

For the sake of argument, though, let us assume that every country in the world decides to join the CWC. What then? Russia has 75,000 tons of chemical weapons; China also has huge stockpiles. Together they have about 80 percent of the world's supply. Many of the violent regimes listed above also have tons of chemical weapons but deny it. Assuming these countries ratify the CWC, do our colleagues really think they will admit where, how much, and what kind of chemical weapons they have? We do not, because they have never done so before, and we do not see anything magical in the CWC that will change their behavior. Russia and the United States, for instance, are obligated under the Wyoming Memorandum of Understanding to disclose to each other all the details on the size and type of their chemical weapon stockpiles and programs. The United States has complied; Russia has not. It has only given information on about 40,000 tons; it is through other intelligence means that the United States knows that it really has about 75,000 tons. Further, Russia has failed to disclose any information about its binary weapons program. That program has come up with a really potent new line of toxins that use chemicals not regulated under the CWC. In other words, before even ratifying the CWC, Russia is already working on ways to cheat, and it has found them. As for China, that country sells missiles to the most unstable countries on earth, uses slave labor, violates trade laws, is engaged in genocide in Tibet, has policies of forced abortion and sterilization, and has used tanks to run over its own unarmed students. Additionally, we have been informed that every one of the inspectors that it has chosen for the verification program under the CWC is from its chemical weapons program, which leads us to believe that it is a lot more interested in espionage than it is in getting rid of chemical weapons. Why would anyone assume that this country would have any qualms about cheating on the CWC?

Our colleagues tell us that if Russia, China, Libya, Iraq, or any other member of the CWC tries to make chemical weapons, the CWC's inspection process will expose the effort. That process will allow for scheduled inspections and challenge inspections (with the challenge inspections obviously intended to be the real teeth) for catching culprits. Under a challenge inspection, the CWC will give a country that has been challenged a list of inspectors. The country will choose 3 people from the list. Then, 12 hours before the inspection, the CWC will inform the country which site is being inspected. Now, that process sounds tough, and it will certainly be disruptive and expensive for U.S. commercial chemical companies if they find out only 12 hours in advance that they are going to have to be ready to submit to inspections that may require them to stop operations. However, for any country that is determined to cheat it is more than enough notice to escape detection. If our colleagues doubt it, we invite them to look at what has happened in Iraq, which has been crawling with U.N. inspectors for the past 6 years. Those inspectors, though they have much greater powers than inspectors under the CWC will be given, have been unable to find the chemical, biological, and nuclear weapons and facilities that Iraq is known to possess (Iraq is believed to have the technical knowledge and materials for nuclear weapons, with the exception that it is not believed to have the necessary fissile material). Further, they have been unable to find the missile systems that it is known to have to deliver those weapons.

Again, for the sake of argument, let us suppose that the CWC's inspectors will discover every violation that occurs. For instance, let us suppose that the United States asks for a challenge inspection of a site in Iran. A list of inspectors will be given to Iran. No

Americans will be on the list because the United States made the challenge. Iran will pick three inspectors, who will conduct the investigation. Suppose that they find that Iran is producing poison gas. That information will be returned to the CWC's Technical Secretariat, which may or may not have Americans on its staff, which will issue a final report, which will be judged by the 41 members of the CWC Executive Council, which may or may not have an American on it (the 41 members will be chosen by geographical quota). All substantive decisions of the Executive Council require a two-thirds majority vote; thus, at least 28 members will have to concur before a technical report that finds a violation is officially labelled a violation. Suppose three-quarters of them admit that Iran has violated the CWC; then it may make recommendations. It may ask the offending country to stop, or it may ask the Conference of State Parties to take action; by a two-thirds majority vote, the Conference may restrict a country's benefits under the CWC or take other unspecified actions; for violations of sufficient "gravity", both the Executive Council and the Conference may refer a matter directly to the United Nations General Assembly or Security Council, both of which could take unspecified actions. In our opinion, this process is extremely cumbersome, and it is unlikely that results favorable to the United States' position will be reached. Our colleagues, though, point out that it is better than the current situation under which the United States cannot instigate challenge inspections.

We point out that challenge inspections are a two-edged sword. The estimate of the number of companies that may be subjected to these inspections in the United States ranges from a few thousand to about 10,000. Further, those companies will have to meet reporting requirements. Huge, multinational companies have told us that they do not expect that they will find the reporting requirements and inspections too burdensome, but smaller companies oppose the CWC because of those costs, plus the fear of industrial espionage. This fear is not baseless--the Office of Technology Assessment reports that the U.S. chemical industry is one of the top five industries targeted by foreign companies and governments for proprietary information. For smaller companies, the loss of key proprietary information, such as the chemical structure for a new pesticide, may result in financial ruin. Perhaps the greatest danger of inspections, though, is that they will likely result in the loss of national security secrets. In a test of how the CWC would work in practice, an inspection was done of a facility that produces rocket fuel. Samples were taken of mud near the site, and chemists, by analyzing those samples, were able to determine highly classified information on the structure of U.S. rocket fuel and on how to make it. If this fact does not give our colleagues pause, we do not know what will. Under the terms of the CWC, inspectors will be allowed to inspect records, quiz employees, and take pictures and samples. Those countries, including many of our allies, probably cannot wait to issue challenge inspections of our chemical plants, military facilities, and national laboratories in order to steal both commercial and national security secrets.

Again, for the sake of argument, we are going to suppose we are wrong. We are going to suppose that all of the countries that currently engage in espionage against the United States are not going to take advantage of the ability in the CWC to crawl all over the United States' national laboratories, military bases, and commercial industrial factories. Even making this ridiculous assumption does not make the CWC harmless, because it contains Articles X and XI. Those articles will require States Parties to the convention to share to the fullest possible extent all of the information they have on chemical weapons defenses, plus it will require them to remove any restrictions on chemical-related trade except for restrictions spelled out in the CWC. Our colleagues now tell us that we are misreading Articles X and XI, but until the last few days our interpretation is exactly the interpretation that everyone in the world was following. The Australia Group, which is the organization that is mainly responsible for world restrictions on chemical trade, assumed until very recently that it would have to drop its restrictions against countries like Iran if they joined the CWC. The only reason anyone has changed their reading of these two articles is that some Senators strongly objected to them. In order to get the Senate to ratify the CWC, now the Clinton Administration, the Australia Group, and others are saying that these articles will not stop greater restrictions being placed on CWC members. We are pleased they are taking this position, we hope that they hold to it, but we also note that it is in clear violation of the language of the CWC, and many other members, most notably China, will not take the same position. China has already announced that it will stick with the original interpretation, and will freely trade very dangerous substances and technologies with countries like Iran. Our colleagues tell us that China will do so anyway--we agree, but we point out that if the CWC is enacted it will have legal sanction for so doing.

We do not support the existence of chemical weapons. The United States is committed to getting rid of its chemical weapons no matter what the rest of the world does, and it is right, morally, for taking that action. If the CWC really would work towards getting rid of all chemical weapons worldwide, or if it were even merely a harmless piece of paper to put the world on record as being against chemical weapons, we would give it our enthusiastic support. Unfortunately, the CWC is extremely dangerous. It is being advertised as the vehicle that will get rid of chemical weapons, but it will actually lead to their proliferation. This dangerous convention should not be ratified.